

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1016, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 33-40-3-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. A supplemental
- 5 public defender services fund is established in each county. The fund
- 6 consists of amounts deposited under:
- 7 (1) section 9 of this chapter; **and**
- 8 (2) **IC 35-33-8-3.3**".
- 9 Page 3, line 40, after "(a)" insert "**This section does not apply to a**
- 10 **defendant charged in a city or town court.**
- 11 **(b)**".
- 12 Page 4, line 1, delete "(d)" and insert "**(e)**".
- 13 Page 4, line 8, delete "(b)" and insert "**(c)**".
- 14 Page 4, line 13, delete "(c)" and insert "**(d)**".
- 15 Page 4, line 14, delete "and the defendant is:" and insert ",".
- 16 Page 4, delete lines 15 through 18.
- 17 Page 4, line 19, delete "(2) not charged in a city or town court,".
- 18 Page 4, run in lines 14 and 19.
- 19 Page 4, line 23, delete "(d)" and insert "**(e)**".

- 1 Page 4, line 35, delete "(a)" and insert "**(b)**".
- 2 Page 4, delete line 36.
- 3 Page 4, line 37, delete "apply to a defendant charged in a city or
- 4 town court.", begin a new paragraph and insert "**(f)**".
- 5 Page 4, line 39, delete "(d)(3)" and insert "**(e)(3)**".
- 6 Page 4, line 40, delete "(d)" and insert "(e)".
- 7 Page 4, line 40, delete "All" and insert "**Except for the money**
- 8 **described in subsections (c) and (d), all**".
- 9 Page 5, line 1, after "deposit" insert "**fifty percent (50%) of**".
- 10 Page 5, line 2, after "fund" delete "." and insert "**and fifty percent**
- 11 **(50%) of the money into the county supplemental public defender**
- 12 **services fund (IC 33-40-3-1).**".
- 13 Page 5, delete lines 12 through 31.
- 14 Page 5, line 32, delete "or local".
- 15 Page 5, line 39, delete "or local".
- 16 Page 6, line 13, after "that" insert ", **upon the defendant's**
- 17 **conviction**".
- 18 Page 6, line 23, delete "and".
- 19 Page 6, line 25, delete "." and insert "; **and**
- 20 **(4) is immediately terminated if a defendant is acquitted or if**
- 21 **charges against the defendant are dropped.**".
- 22 Page 6, line 27, after "may" insert ", **upon the defendant's**
- 23 **conviction,**".
- 24 Page 6, line 30, after "permit," insert "**upon the defendant's**
- 25 **conviction,**".
- 26 Page 7, line 14, delete "(d)" and insert "(e)".

- 1 Page 7, line 17, delete "or city or town fiscal officer".
- 2 Page 7, line 18, delete "(e) or".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1016 as printed January 18, 2006.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

Bray

Chairperson